



STATE OF MISSOURI
OFFICE OF ADMINISTRATION
DIVISION OF PURCHASING AND MATERIALS MANAGEMENT

NOTIFICATION OF STATEWIDE CONTRACT

June 12, 2013

CONTRACT TITLE: Advertisement Placement Services-Newspapers

CURRENT CONTRACT PERIOD: February 1, 2012 through January 31, 2015

BUYER INFORMATION: Stacia Dawson
(573) 522-3052
Email address: stacia.dawson@oa.mo.gov

RENEWAL INFORMATION	Original Contract Period	Potential Final Expiration
	February 1, 2012 through January 31, 2015	January 31, 2019

ALL PURCHASES MADE UNDER THIS CONTRACT MUST BE FOR **PUBLIC USE ONLY**.
PURCHASES FOR PERSONAL USE BY PUBLIC EMPLOYEES OR OFFICIALS ARE PROHIBITED.

THE USE OF THIS CONTRACT IS **NOT MANDATORY**.

This contract has been established for the convenience of state agencies. Local Purchase Authority may be used to purchase supplies/services included in this contract from an alternative source at the discretion of the agency.

The entire contract document may be viewed and printed from the Division of Purchasing & Materials Management's **Awarded Bid & Contract Document Search** located on the Internet at <http://www.oa.mo.gov/purch>.

~ Instructions for use of the contract, specifications, requirements, and pricing are attached ~.

CONTRACT NUMBER	VENDOR NUMBER	VENDOR INFORMATION	MBE/WBE	COOP PROCUREMENT
C312128001	4307226100 0	Missouri Press Service, Inc 802 Locust Street Columbia, MO 65201 (573) 449-4167 (573) 874-5894 (Fax) E-Mail: dcrews@socket.net	None	Yes

STATEWIDE CONTRACT HISTORY

The following summarizes actions related to this Notification of Statewide Contract since its initial issuance. Any and all revisions have been incorporated into the attached document.

Contract Period	Issue Date	Summary of Changes
02/01/12 thru 01/31/15	06/12/13	Changed the Buyer Information on page one from Mary Call to Stacia Dawson.
02/01/12 thru 01/31/15	01/25/12	Initial issuance of new statewide contract

Contractor Pricing - The firm fixed percentage stated below shall be applied to the final total of each invoice as the contractor's fee for providing the services in accordance with the provisions and requirements of this RFP. Payments shall be made as specified in the invoicing and payment requirements of this document. (*Commodity Code 91803-Advertising Space and Time*)

Line item 001	3 %	Firm Fixed Percentage of Total Amount of Invoice
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1.1 Performance Requirements:

1.1.1 Each time a state agency has a need for advertisements to be placed through newspaper media, the state agency shall notify the contractor of the exact requirements for the advertisement placement. The state agency shall provide information and instructions to the contractor regarding the specific advertising placement needs at least three (3) calendar days prior to the publishing deadline for the newspaper(s) in which the state agency is requiring advertisement(s) be placed.

- a. The using state agency will specify the exact newspaper media in which the advertisement(s) shall run and the time(s) and/or date(s) the advertisement(s) shall run.
- b. In addition, the state agency will specify the location(s) or section(s) in the newspaper where the advertisement(s) shall be placed. Such locations shall be any of the following, depending on the specific needs of the state agency:
 - 1) Display advertisements also referred to as run of paper [ROP]. Particular locations, sections or display locations cannot be specified.
 - 2) Classified Display advertisements, Display advertisements which must be located in the Classified Section of the newspaper in or near the section for the subject matter covered in the advertisement,
 - 3) Legal/Public Notice advertisements, pursuant to section 493.025, RSMo,
 - 4) Other, may include other advertising offered by the newspapers such as pre-printed inserts, Post-It® Notes (stick-on ads), Polybags (rainwraps), online newspaper advertisements, etc.

1.1.2 The state agency shall provide the contractor with the advertisement to be placed, as specified below:

- a. It is anticipated that the majority of the time, the state agency will forward to the contractor an electronic file containing the advertisement to be placed. The contractor must review each advertisement provided by the state agency and shall notify the state agency if the contractor identifies any typographical errors or omissions in the final advertisement so that the state agency may make appropriate corrections and resubmit the advertisement to the contractor. Additionally, the state agency may authorize the contractor to make the

corrections to the advertisement. The contractor must also notify the state agency of any other situations identified by the contractor which may affect the effectiveness or acceptability of the advertisement so the state agency may make corrections/adjustments to the advertisement, if desired.

- b. On occasion, the using state agency shall provide the copy points for an advertisement to be placed by the contractor and shall require the contractor to develop, layout, and typeset the final advertisement for placement. In such situations, the contractor shall submit a proof of the advertisement to the using state agency for approval within twenty-four (24) hours after receipt of the copy points from the state agency.
 - 1) After reviewing the contractor's proof, the state agency shall return the proof to the contractor at least forty-eight (48) hours prior to the publication deadline of the newspaper(s) in which the advertisement will be placed.
 - 2) If the state agency does not return the proof of the advertisement prior to the forty-eight (48) hour deadline, the contractor shall not be held responsible for the advertisement not being placed at the time required or for errors in the advertisement.

1.1.3 After authorization by the state agency, the contractor shall order the advertising in the location of the newspaper specified by the state agency and shall directly place the advertisement within the time frame required by the using state agency.

- a. In making such media buys, the contractor shall agree and understand that the contractor shall not be acting as an agent of the State, and shall not represent itself to be acting as an agent of the State. The contractor shall inform each newspaper representative supplying print and/or other advertising means that the contractor is not acting as an agent for the State and that the contractor shall be solely liable for payment to the media representative.
- b. The contractor shall properly incorporate the approved advertisement in mechanical or other necessary form and forward it with instructions for the fulfillment of the advertising order, check and verify instructions, displays, etc. to such a degree as regarded as good practice.

1.1.4 Errors in advertisements placed – The contractor shall understand and agree that the following shall apply in regard to errors in advertisements:

- a. If the state agency provided the contractor with an electronic file containing the advertisement to be placed, the contractor shall not be held responsible for errors in an advertisement. However, as specified above, the contractor has an obligation to carefully review all the state agency advertisements and to notify the state agency so that errors do not exist.
- b. If the state agency provided the copy points for the advertisement, but required the contractor to develop the final advertisement for placement, the following shall apply if errors were identified in the placed advertisement:
 - 1) If the contractor did not submit a proof of the advertisement to the state agency for approval, the contractor shall not be paid the cost for the advertisement space nor the contractor's fee for the placement services for such advertisement. Furthermore, if required by the state agency, the contractor shall place the advertisement again and shall not be paid the contractor's fee for such placement services.
 - 2) If the contractor did not make the corrections required by the state agency after review of the proof, the contractor shall not be paid the cost for the advertisement space nor the contractor's fee for the placement services for such advertisement. Furthermore, if required by the state agency, the contractor shall place the advertisement again and shall not be paid the contractor's fee for such placement services.

3) If the state agency did not mark an error in the proof and the contractor also did not notice the error resulting in the advertisement being run with errors, as long as the state agency was provided with a proof to review, the contractor shall not be responsible for the error.

c. If the advertisement did not run as required - If the state agency was in compliance with the deadline requirements specified previously, but the advertisements did not run as required, the contractor shall schedule either a make good, or shall give credit to the state agency. The contractor must maintain and keep all records regarding make goods and credits.

1.1.5 Unless otherwise specified herein, the contractor shall furnish all material, labor, facilities, equipment, and supplies necessary to perform the services required herein.

1.2 Invoicing & Payment:

1.2.1 Prior to any payments becoming due under the contract, the contractor must return a completed state Vendor Input/ACH-EFT Application, which is downloadable from the Vendor Services Portal at: <https://www.vendorservices.mo.gov/vendorservices/Portal/Default.aspx>.

a. The contractor understands and agrees that the State of Missouri reserves the right to make contract payments through electronic funds transfer (EFT).

b. The contractor must submit invoices on the contractor's original descriptive business invoice form and must use a unique invoice number with each invoice submitted. The unique invoice number will be listed on the State of Missouri's EFT addendum record to enable the contractor to properly apply the state agency's payment to the invoice submitted. The contractor may obtain detailed information for payments issued for the past 24 months from the State of Missouri's central accounting system (SAM II) on the Vendor Services Portal at:

<https://www.vendorservices.mo.gov/vendorservices/Portal/Default.aspx>

1.2.2 The contractor shall audit and verify the accuracy of all invoices the contractor receives from the newspapers to ensure all advertisements ran and were correctly billed. Each month, the contractor shall prepare and deliver the following to each using state agency at the address specified by the using state agency in a format agreed to by such using state agency:

a. Tear sheets - The contractor must provide a tear sheet for each advertisement as proof of publication.

b. An invoice - The contractor must provide an invoice which must itemize all advertising expenditures for the month by advertisement placement project and which must include (1) documentation itemizing the name of each newspaper(s) where the advertisement ran and (2) the date the advertisement ran in each such newspaper and (3) the price being charged to the using state agency in compliance with the following:

1) With the exception of legal/public notice advertisements placed in accordance with section 493.025, RSMo, the invoice shall identify the actual price charged by the paper for the advertisement, not to exceed the published rate for each such newspaper, shown in units and in total, minus the standard agency discount of fifteen percent (15%).

2) For legal/public notice advertisements placed pursuant to section 493.025, RSMo, the invoice must include the published rate that is in full compliance with section 493.025, RSMo.

3) Contractor's Fee - For each advertisement project, in addition to paying the contractor the price charged by the newspaper for the advertisement space as specified above, the state agency shall also pay the contractor the firm fixed percent specified on the pricing page (shown below). Therefore, the contractor shall also be permitted to invoice each using state agency the contractor's fee which is shown below (as a percentage of the total amount invoiced. The amount to be paid to the contractor shall be calculated from the final total of each invoice, including the reduction of the standard agency discount of fifteen percent (15%) from the rates charged by the newspaper for advertising projects

except those legal/public notice advertisements placed pursuant to section 493.025. The contractor's fee shall constitute the contractor's compensate for handling the placement of the advertisement with the newspapers according to the requirements of the contract.

Line item 001	3 %	Firm Fixed Percentage of Total Amount of Invoice
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- c. Affidavits of Publication - For legal/public notice advertisements placed pursuant to section 493.025, RSMo, the contractor must provide the state agency with affidavits of publication as required by the statute. The Revised Statutes, including section 493.025, RSMo can be viewed from the internet at:

<http://www.moga.mo.gov/homestatsearch.asp>

- 1.2.3 No payment or reimbursement other than the payment for advertisement space and the payment for the contractor's fee as specified above shall be made to the contractor for any reason whatsoever including, but not limited to tear sheet, affidavit, manifest, printing, shipping, insurance, tax, and/or interest charges; penalty, liquidated damage, or termination assessments; attorney fees; etc.
- 1.2.4 Except as may be required as specified in the "Additional Services" section of this document, the contractor shall agree and understand that the State of Missouri shall not make advanced payments to the contractor for any services performed. The contractor must ensure that the advertisement runs as required prior to submitting an invoice to the state agency for payment. From the time of approval of the contractor's invoice by the using state agency, the state agency estimates that payment may take an average of approximately thirty (30) calendar days. However, pursuant to section 34.055, RSMo, the using state agency shall have forty-five (45) days to make the payment.
- 1.2.5 The contractor shall understand that each state agency utilizing the contractor's services shall be solely responsible for payment for only those services requested by that state agency.
- 1.2.6 Final invoices are due by no later than sixty (60) calendar days after the expiration of the contract. The state agency shall have no obligation to pay any invoice submitted after the due date. In addition, the contractor shall agree and understand that each state agency may have fiscal and budgetary situations which may require invoicing within a certain time period. The contractor must comply with such invoicing time requirements as stipulated by the state agency, unless other arrangements are agreed upon by both the contractor and the state agency.
- 1.2.7 Notwithstanding any other provision of the contract, if the contractor fails to perform required work or services, fails to submit documentation when due, or is indebted to the United States, the state agency may withhold payment or reject invoices pursuant to the contract.
- 1.2.8 If a request by the contractor for payment is denied, the state agency shall provide the contractor with written notice of the reason(s) for denial.
- 1.2.9 If the contractor is overpaid by the state agency, upon official notification by the state agency, the contractor shall provide the state agency with a check payable as instructed by the state agency in the amount of such overpayment. The contractor shall submit the overpayment to the state agency at the same address used for invoicing.
- 1.3 Additional Services/Programs:**
- 1.3.1 If the contractor provides additional services/programs related to newspaper advertising that could be an advantage to the State of Missouri, the contractor shall be permitted to submit a written request to the Division of Purchasing and Materials Management (DPMM) for approval to market such services/program to the State of Missouri agencies.

- a. The contractor must submit such request in the format required by DPMM. In the written request, the contractor must minimally document:
 - 1) The services/program proposed,
 - 2) The proposed pricing structure for such services/program, and
 - 3) How, when, and under what circumstances the additional services/program will result in a more advantageous newspaper advertising project for the state agencies.
- b. The decision of whether to approve the request for inclusion of the additional services/program shall rest solely with DPMM and shall be final and without recourse.
- c. If approved, DPMM shall notify the contractor in writing of the approval via formal amendment to the contract. However, the contractor shall understand and agree that after approval of the additional services/program, if DPMM determines that the services/program are not in the best interest of the State of Missouri, DPMM shall have the right to amend the contract to remove such services/program from the contract.

- 1.3.2 If additional services/program are included in the contract, the contractor shall be permitted to market such services/program to the using state agencies.

NOTE: The following additional services have been included in the contract. Brochures describing each are included as Attachments to this document and are available by contacting the contractor. State agencies must evaluate their value and only utilize those that are a benefit for the State of Missouri.

2x4 / 2x2 Display Network

Reach over 2.2 million readers by purchasing a 2-column wide by 4-inch-deep or 2-column wide by 2-inch deep display ad to run in 165 Missouri newspapers statewide. State Agencies can run a 2x4 ad for \$2400 or a 2x2 ad for only \$1200. State agencies can run an ad in either the eastern or western portion of the state for just \$1400 for a 2x4 or \$700 for a 2x2. The display network has 165 Missouri newspapers participating in 2011 with a total circulation of 757,129. Contractor can place state agency ads in other state networks at the rates set by each individual press association.

Mighty MO Classifieds - (5 Lines for 5 Days, Monday-Friday): \$850 per week – not available for real estate, automobile sales, or help wanted ads. The following applies to the Mighty MO Classifieds. State agencies will be able to reach Missouri's Largest Daily Newspaper Classified Audience with MPS' Mighty MO Classifieds. State agencies can reach a total circulation of OVER 802,000 in one quick and easy advertisement. 5 Lines for 5 Days (Monday through Friday) is only \$850 per week. Deadline is every Thursday at 10 am for the following week. Restrictions: This program is not available for in-state real estate, automobile sales, or recruitment (help wanted) advertising.

Ads.MoPress.com - The Missouri Press Service's Online Ad Network will provide state agencies with the ability to reach thousands of potential customers reading newspapers online, with only a few clicks. The contractor's network would allow state agencies to place banner ads on newspapers' websites throughout the state, all from their computer. Ads start at \$8 CPM and there are 5 ad sizes to utilize. Agencies can pick the amount to spend based on the number of people you want to see your online ad.

Statewide Classified Network - State agencies can reach 1 million readers across the state. For only \$350 they receive a 25-word ad that will run one time in 197 Missouri newspapers statewide. Contractor can place classified ads in other state networks.

In addition to the advertising networks, contractor's press release service would be available for any state agency wishing to provide news directly to editors and reporters in all news media statewide. Using the contractor's database means individuals at state agencies can save time trying to keep their news release lists up to date and can reach all media outlets by sending a single email.

Flash News! Press Release Service – Missouri Press Service provides a fast, convenient and economical way for state agencies to send news or P.R. release to every newspaper (daily and weekly), radio station and TV station in the State of Missouri. Simply email kford@socket.net a copy of the release. MPS will format it to a PDF and email it to all media. Flash News! can reach 425 news outlets statewide for just \$145.

- 1.3.3 If a state agency requests services from the contractor and, when appropriate based on the services desired by each state agency, the contractor should explain the additional services/program to the state agency and document any cost savings which could be realized from the state agency's use of such services/program.
- 1.3.4 If a state agency requests such additional services/program from the contractor, the contractor shall perform the services/program as specified in the contract. The contractor shall invoice and shall be paid for such services as required for use of the service/program as approved by DPMM.

1.4 Recordkeeping and Reporting Requirements:

- 1.4.1 Recordkeeping - The contractor must maintain financial and accounting records and evidence pertaining to the contract in accordance with generally accepted accounting principles and other procedures specified by the state agency.
- a. The contractor shall make all such records, books, and other documents relevant to the contract available at all reasonable times and in a format acceptable to the state agency and/or its designees and the Missouri State Auditor during the term of the contract and any renewal period, and for five (5) years from the date of final payment on the contract or contract renewal period or the completion of an independent audit, whichever is later. If any litigation, claim, negotiation, audit, or other actions involving the records has been started before the expiration of the retention period, the contractor shall retain such records until completion of the action and resolution of all issues which arise from it.
 - b. The contractor shall permit governmental auditors and/or authorized representatives of the State of Missouri to have access, for the purpose of audit or examination, to any of the contractor's books, documents, papers, and records recording receipts and disbursements of any of the funds paid to the contractor. The contractor further agrees that any audit exception noted by governmental auditors shall not be paid by the state agency and shall be the sole responsibility of the contractor, provided that it may contest any such exception by any legal procedure it deems appropriate and that the state agency will pay the contractor all amounts which may ultimately be held entitled to receive as a result of any such legal action.
- 1.4.2 Reporting Requirements – On an annual basis, by no later than thirty (30) calendar days after the end of each fiscal year (state fiscal years run from July 1 to June 30 each year), the contractor shall submit a usage report to DPMM of the placement services provided for all of the various using state agencies during the previous fiscal year. The contractor must submit the report electronically in an analysis-ready format approved by DPMM. (Excel format is preferred. Pdf format is not acceptable.) At a minimum, the report must contain the information listed below for each using state agency, further divided by state agency program or customer number, if applicable:
- a. Identification of each Placement Order (Name, Number, or other identifier), and the state agency placing the order.
 - b. For each order, identify the advertisement as one of the following:
 - 1) Display advertisements.
 - 2) Classified Display advertisements.
 - 3) Legal/Public Notice advertisements, pursuant to section 493.025, RSMo.
 - 4) Other, specify. (e.g: pre-printed inserts, Post-It® Notes (stick-on ads), Polybags (rainwraps), online newspaper advertisements, etc.)
 - 5) Additional service/program, specify.

- c. Specifics of the Order Including Newspapers where advertisement was placed, date, times, size, etc.
- d. Total Payment by state agency for that Placement Order, including the contractor's fee.

1.4.3 Newspaper Rates:

- a. By no later than thirty (30) calendar days after the effective date of the contract and on at least an annual basis thereafter, the contractor shall submit an electronic listing to DPMM of each of the following rates for each newspaper within the State of Missouri. If an updated listing is required at any time during the annual period, the contractor shall submit such updated listing to the DPMM.
 - 1) Published National Rate,
 - 2) Published National Classified Display Rate,
 - 3) Published Rate in compliance with section, 493.025 RSMo, (for Legal/Public Notice advertisements).
- b. The contractor shall agree and understand that the listing shall be used to verify that the contractor is invoicing at the contract rates for advertisement space.
- c. In addition to the electronic listing of rates required above, if required by any state agency in order to verify the accuracy of the rates actually included on the contractors invoice to the state agency, the contractor shall provide the requesting state agency with a copy or scanned image of the current rate card for any or all newspapers where advertisements have been placed for that state agency.